

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TEXARKANA DIVISION

LAROAN VERNERS

§

VS.

§

CIVIL ACTION NO. 5:09cv121

WARDEN KEITH ROY

§

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Petitioner Laroan Vernal, an inmate confined at the Federal Correctional Institution in Texarkana, Texas, proceeding *pro se*, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends that petitioner's motion to proceed *in forma pauperis* be denied and petitioner ordered to pay the filing fee of \$5.00.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

O R D E R

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. It is therefore,

ORDERED that petitioner's motion to proceed *in forma pauperis* is **DENIED**. It is further

ORDERED that petitioner shall, within thirty (30) days from the date of this order, pay the \$5.00 filing fee for this action. Petitioner's failure to pay the filing fee as ordered may result in the dismissal of this petition for want of prosecution pursuant to FED. R. CIV. P. 41(b).

SIGNED this 27th day of September, 2010.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE